

**MINUTES
CORRECTIONS STANDARDS AUTHORITY MEETING
THURSDAY, JULY 15, 2010
600 BERCUT DRIVE
SACRAMENTO, CA 95811
(916) 445-5073**

Meeting held at: Department Corrections & Rehabilitation, 1515 S Street, Sacramento, CA 95814

Mr. Matthew Cate, Chair, welcomed everyone to the July 15, 2010 Corrections Standards Authority (CSA) telephonic meeting.

Mr. Cate asked Ms. Krysten Meyer, Executive Assistant to call roll.

The following members were in attendance:

Mr. Cate	Ms. Silva	Ms. Biondi	Ms. Campbell
Mr. Kernan	Mr. Prieto	Mr. Baca	Ms. McBrayer
Mr. Warner	Mr. Ingrassia	Mr. Adams	Ms. Minor
Ms. Silbert	Ms. Arnold	Mr. Townsy	Ms. Bates

ABSENCE OF BOARD MEMBERS

Ms. Meyer announced the absences of the Board members and the reason for their absence.

Ms. Penner, Ms. Epps, and Mr. Crowder had prior commitments. There was a quorum.

Mr. Wilson, Executive Director, CSA, provided the Board with an update.

CONSENT CALENDAR:

APPROVAL OF THE MINUTES OF THE MAY 6, 2010 MEETING, STANDARDS AND TRAINING FOR CORRECTIONS: APPLICATION APPROVALS FOR FISCAL YEAR 2010/2011, & INMATE VOTING (AGENDA ITEMS 1, 2 & 3)

Mr. Cate: Is there a motion to approve the Consent Calendar?

A motion to approve the Consent Calendar was made by Ms. McBrayer and seconded by Ms. Campbell. The motion carried.

Mr. Cate: Are there any comments? There were none.

DISCUSSION ITEMS:**ASSEMBLY BILL 900 PHASE I – CASH MATCH REDUCTION****(AGENDA ITEM 4)**

Leslie Heller presented this action agenda item which requests the Board's approval of a reduction in cash match for any county currently awarded under AB 900 Phase I funding, as may be applicable. The legislated minimum match amount is 25% of total project costs, unless a small county, in which case the county may request a reduction in its match amount. Aside from the legislated 25% overall match amount, the Requests for Proposals issued by this Board and subsequent regulations dictate that small and medium counties must contribute at least 5% cash match and large counties must contribute at least 10% cash match, within the overall 25% match, recognizing the match amount is made up of a balance of cash and in-kind. This requested action today would allow any currently awarded county, including those with the minimum match amount, the flexibility to reduce its cash match contribution as may be applicable to the county's project budget. This would mean any county required to provide at least 25% match would have to increase its in-kind match contribution if the cash match is reduced, thus maintaining the 25% match balance. This request does not seek to change the state dollar amount awarded to any county in this process, or to allow reductions in match that would differ from the already prescribed minimum match requirements established for this process. At the Board meeting in May a similar item came before the Board, and the Board did approve that currently awarded counties that are overmatched beyond the minimum required 25% match, may reduce their cash match contribution. What was different from that agenda item and this one is that this request applies across the board to any of the awarded counties to which the budget situation may fit. Essentially this item seeks to provide equal budget flexibility to all of the awarded counties. As was discussed at the last board meeting, project construction costs for several of the counties are thought to be less than were anticipated when the counties submitted their proposals with construction budgets, two years ago in most cases. With allowing a reduction in cash match where applicable, it will allow some counties to still garner the entire state award amount already set, while still providing the required match. Otherwise, project cost savings would be split pro-rata between state dollars and county match. This request to the Board is to allow for flexibility in the balance of match percentages for every awarded county, while keeping within the established legislated and regulatory guidelines, and the awards already set by this Board. This means, every county is still held to: Its award amount as previously provided by this Board, its project scope as submitted and approved previously by this Board, the state dollars paying for construction costs only, the 25% overall match minimum unless a small county in which case a lesser amount of match is acceptable, every small and medium county must provide at least 5% cash match, and every large county must provide at least 10% cash match. CSA staff recommends the Board allow a reduction in the cash match amount for any eligible county as may be applicable and within the established minimums, as dictated in Government Code and regulations.

Ms. Heller: Are there any questions?

Ms. Campbell: Could Ms. Heller repeat a portion of her presentation due to noise interferences during the teleconference?

Ms. Heller: Yes, I will repeat that portion of the presentation that was interrupted.

Ms. McBrayer: My understanding is that we are keeping the match the same but we're just reducing if it's cash or in-kind.

Ms. Heller: Yes, Ms. McBrayer is correct. If it works in the counties project budget where it can benefit them and they can still provide enough in-kind match to balance out the 25% provided they're a county that's required to have the 25% minimum.

Ms. McBrayer: Is this being done at the request of the counties?

Ms. Heller: Yes, counties are looking at their budgets and recognizing that in several of the counties, it's anticipated that their project costs are going to be less. So without this kind of action, what it would mean for some of the counties is that the state dollar award amount would go down.

Ms. McBrayer: How are project costs going down when construction costs have increased?

Mr. Cate: Speaking on construction costs, CDCR's initial bids on a couple of AB 900 projects that have broken ground are coming in 20-30% less than originally expected. There may be some costs that are higher, concrete or steel may be higher but overall we are seeing reductions on our side.

Ms. Silbert: Last time the percentages were reduced and now we're not only reducing the percentages but we're saying that the percentages don't even have to be paid in cash?

Mr. Cate: The last time we addressed the counties that were overmatched, they had actually pledged to do more than the 25%. As construction costs went down we were allowing those counties to adjust with those costs to the 25% level. The statute already said there had to be at least 10% for the large counties that had to be cash and up to 15% could be in-kind of that 25%. What we're seeing here is, as costs go down the county can do more in-kind but they still have to stay within the statutory framework of at least 10%. If they want to move percentages around a little bit within that framework because they can do more in-kind of other matches instead of cash then we will allow them that flexibility.

Ms. Heller: It doesn't relieve the counties from having to pay significant project costs; the state would still pay construction dollars only. The county would still have to pay all the other architectural fees, construction management fees, fees that come out of the environmental act, along with a number of other in-kind costs to the counties, so the county is still putting in a significant contribution.

Mr. Kernan: Is this simply doing what we did for all of the counties the last time, so we're just playing it fairly across the board?

Ms. Heller: Yes, that is correct.

A motion to approve the staff recommendation was made by Ms. McBrayer and seconded by Mr. Warner. The motion carried.

Mr. Cate: Is there further discussion or public comment? There was none.

STATE SELECTION AND TRAINING STANDARDS PROJECT: CORRECTIONAL OFFICER ACADEMY AND OFF-POST TRAINING STANDARDS, CORRECTIONAL OFFICER HEARING STANDARDS, AND PAROLE AGENT JOB ANALYSIS UPDATE
(AGENDA ITEM 5)

Evonne Garner presented this agenda item that provides an update on the State Selection and Training Standards projects that are currently being conducted by the STC division including Correctional Officer Academy and Off-Post Training Standards, Selection Exam, Hearing Standards and Parole Agent Job Analysis. STC continues to work on the Written Exam and the Hearing Standards projects. In addition, we have completed the development of the minimum training standards for the Basic Correctional Officer Academy and annual training and have begun a job analysis of the Parole Agent classification. STC developed an interim written exam for CO/YCO, and YCC job applicants that is currently in use by the Office of Peace Officer Selection. STC is working on converting that exam to a permanent exam that is validated by the job analysis that was recently completed. The interim exam contains pilot test items that will be used to develop the permanent exam. However, slow downs in hiring have resulted in fewer candidates taking the exam. Therefore, we have not collected enough data on those pilot items to determine whether they are appropriate for inclusion in a permanent exam. When enough tests have been administered to perform the appropriate statistical analyses, we will require an additional 6 months to develop and publish the permanent exam. The research is completed for the correctional officer (CO) hearing standard. The team met with hearing experts from around the country and Canada to further discuss the CO hearing standard on June 28. The CO hearing standard report will be published by December, 2010. On July 7, CSA staff met with BCOA and curriculum development staff to review the academy and annual training standards in order to facilitate the agreed to implementation date of March 2011. At this time, the timeline appears to be on schedule. In October 2009, STC began a job analysis of the adult Parole Agent I classification. STC conducted job observations at 8 parole offices throughout the state. Using information gathered from those job observations, from SME meetings, and from a literature search, STC developed a job analysis questionnaire that was administered online to all Parole Agent incumbents and their supervisors in May and June. Currently staff is conducting statistical analyses of that data. Due to delays encountered in the job analysis questionnaire administration, STC has extended the project completion date to November 2010.

Ms. Garner: Are there any questions?

Ms. Silbert: Aside from the correctional officers themselves were there outside training experts looking over the training standards?

Ms. Garner: We work in consultation with staff from the California State University System and PhD's involved in instructional design.

Ms. Biondi: Is an analysis done on every job category, juvenile, adult, parole or is it based on a parole agent?

Ms. Garner: We have the responsibility to develop standards for all correctional peace officer standards on the state side as well as on the local side. The projects I've been talking about are specific to state correctional peace officer classifications of which there are 47 for which we have the standard responsibility.

Ms. Biondi: Is this only for parole?

Ms. Garner: No, it's for correctional peace officers, which includes parole, adult institutions, and juvenile justice on the state side. The current job analysis is only for the Parole Agent I classification on the state side; ultimately we will do all the others as well.

Ms. Silbert: Will the trainings be online or in person, including role playing, etc.?

Ms. Garner: The delivery is up to the administering departments and we just set the standards around content and testing.

Ms. Silbert: What if the content involves situations, and then by definition those situations would have to involve role playing whereas other things by definition can be done on a computer?

Ms. Garner: Certainly there is different training opportunities that lend themselves better to an online administration versus an in person type of training environment and we will be looking at those when they're submitted to us. The academy standards that are set for the CO, YCO, and YCC are at the academy so that is all in person training that is conducted at the academy. The annual training can be done either way, in person or computer based and that's up to the institution that will deliver that training and then they would need to run it by us to see if it would be up to our standards.

Ms. Silbert: For many years the Legislature had major funding going to probation and parole and correctional officers for these trainings and then it sunset. Is there funding for this kind of training for them?

Ms. Garner: Yes, the academy is currently funded.

Mr. Kernan: Is the annual training at the institutions 40 hours?

Ms. Garner: The standard has been set at 40 hours and we have not identified content specific to that 40 hours because it's going to vary by institutional need and by whatever might be going on policy wise. So, we require a needs assessment to be done every year through the in-service training department and based on that they will determine what training will be included each year.

Mr. Kernan: Is there standardization of those 40 hours and there is very little flexibility is there not?

Ms. Garner: There is very little flexibility due to court cases and policies. These pretty much define those 40 hours with I think about 12 hours that's flexible each year.

Mr. Cate: Is there further discussion or public comment? There was none.

JUVENILE JUSTICE DEVELOPMENT PLANS(AGENDA ITEM 6)

Kim Bushard presented this informational agenda item which informs the Board that all 58 counties now have approved Juvenile Justice Development Plans in place for fiscal year 2010/2011. Ms. Bushard discussed the three charts that were attached to the agenda item, pointing out that county Plans placed much more emphasis on direct services than either capacity building or placements. Looking specifically at the types of services being provided, Risk and Needs Assessments and Intensive Probation Supervision really stand out. Though much smaller in scale, when looking at the types of placements being funded, those dollars are going mostly toward Juvenile Halls and Camps. In terms of capacity building, we see an emphasis on Staff Salaries & Benefits as well as Staff Training & Professional Development. Despite those expenditure categories where we did see some concentrated efforts, in general, the Plans represent a broad array of programs and services geared toward individual county needs and populations. With the annual reporting process now established in law, the next step will be the reporting of actual expenditures and performance outcomes by October 1st. CSA staff are working hard to finalize the reporting forms and processes to ensure another successful reporting cycle this fall.

Ms. Bushard: Are there any questions?

Mr. Warner: Could you verify that county YOBG awards totaled \$93 million statewide?

Ms. Bushard: Yes, the awards totaled \$93 million.

Mr. Warner: The \$93 million was attached to SB 81 and the population shift which dealt with the non-707(b)'s, which is still a pretty chronic problem. I don't know if you have a response to this but it looks like of the 62% direct services, a lot of them are community based services, or intensive probation. Was there an expectation that counties tie YOBG funding to the displaced population that normally would have come to the state in the development of their proposals?

Ms. Bushard: No, there is no explicit requirement.

Mr. Warner: Could it be for any services locally for the juvenile population?

Ms. Bushard: The legislation is very broad and there is a tremendous amount of flexibility within that.

Ms. Arnold: In terms of ongoing funding a lot of the services are definitely tied to evidence based practices and trying to keep that population in the community.

Mr. Warner: That is another part of my question, the belief that if you invest in intervention strategies and better assessment then you would keep people from penetrating deeper into the juvenile justice system.

Ms. Biondi: I have a concern with the pie chart, indicating that when you look at 38 counties that are not spending YOBG funds on direct services, they're spending it presumably just on the cost of placement.

Ms. Bushard: It doesn't necessarily breakout that way. While the county may be

contributing some portion of their funding to placements, they can be contributing as much or more towards direct services.

Ms. Biondi: Will the entire county's plans be posted on CSA's website at some point?

Ms. Bushard: There is not a requirement to do that.

Ms. Biondi: The Executive Steering Committee agreed that the county plans should be posted.

Ms. Bushard: CSA is looking at what can be done in that regard. As you may recall, there were no administrative dollars tied to this program so we're struggling a little bit with this but I absolutely understand that there's an interest on the part of folks in seeing how these funds are being spent and we are in the process of exploring what we can put online as quickly as possible.

Ms. Biondi: I believe we need further analysis of this. If we find these funds are being used to backfill juvenile probation and camp funding, for instance, that's something we need to know. I'm afraid that quickly the intent of this legislation, which is specifically for rehabilitation, will be lost. In the counties that have terrific leadership and want evidence based programs in the community to keep kids from penetrating further into the system, if we don't have better analysis of how these funds are being spent I think we will lose the value of it.

Ms. Arnold: Early on in this program there were youth that counties would have normally sent to DJJ that are being kept in the community and that drove the increase in juvenile halls and camp beds. Those programs are being infused with evidence based programs. I've seen a real shift in what camps are providing to kids and what juvenile halls are providing to kids with shorter lengths in stays so there is a lot of evidence based going into many, many of these programs and that's good.

Ms. Biondi: I have not seen it yet in Los Angeles.

Ms. Arnold: You are going to see great things in Los Angeles.

Ms. McBrayer: Do the plans have to be approved at the local level by the Juvenile Justice Coordinating Council?

Ms. Bushard: They do not.

Ms. McBrayer: It says in the write up that there were other changes also to this and could you explain the other changes?

Ms. Bushard: There is now annual reporting. The Juvenile Justice Development Plan comes before the beginning of the fiscal year so it lays out the counties anticipated expenditures. Another change is that there's also a reporting after the end of the fiscal year so we'll get actual expenditures later. To the extent we would have to allocate resources I think we would probably put more emphasis on reporting out in regards to the actual expenditures rather than the proposed. One of the other huge changes is the requirement for reporting outcome measures so there's reporting that will come around October 1, 2010 for counties to report on some performance measures and that's a big

part of what the ESC helped us with.

Ms. Biondi: Would graduate students be assisting in the evaluation, it might be helpful to get masters or doctoral students to help evaluate?

Ms. Bushard: CSA had the benefit of utilizing some folks from Sac State last Fall and into the beginning of this year and your suggestion is certainly something staff can look into.

Ms. Biondi: Could you explain the tie to JJCPA and what is necessary for counties to do to coordinate these two funds?

Ms. Bushard: The statute is written rather ambiguously but says counties are to explain the coordination between their expenditures for YOBG and JJCPA and that's all that it says.

Ms. Biondi: If you must explain how you do it, it is implicit that you do it.

Ms. Bushard: The legislation uses exactly the same verbiage to require that counties describe any regional agreements or regional placement networks and there's clearly no requirement that those be in place and in fact I have yet to see any.

Ms. Biondi: Why would they put it in the legislation if there wasn't a sense that they need to be coordinated?

Ms. Bushard: I wish I had a good answer for that.

Mr. Cate: Is there any further discussion or public comment? There was none.

PUBLIC COMMENT

(AGENDA ITEM 7)

Mr. Cate: Is there any public comment?

Mr. Bob Evans, representative of the Get Out Of Jail Vote: There were some concerns on issues needing regulatory change to accommodate. One of the issues in the regulatory change is that staff will be going through the general process of reviewing all of the regulations and that is not anticipated to result in any regulatory changes until 2013. It is our feeling that the regulatory changes for inmate voting could be reviewed aside from that on a faster cycle to avoid losing another election cycle before they are put in place. We have a number of suggestions for that which I won't take the time now to go over each of those but I will say that they all involve inmate access to the vote and to inform inmates of their rights to vote. We also have some short term fixes that could be put in place during this election cycle. We were concerned that any type of suggestions could be mistaken as mandates that could be then used to come after the state. One of the things that could be distributed is what inmate rights are. Likewise, as part of the orientation process instead of requiring inmates to request a voter registration card is they could simply be given voter registration cards. Those are the sorts of things that came to mind that would not represent any costs to the local detention facilities.

Ms. Silbert: I support Mr. Evans' suggestions and do not believe they would be hard to implement or get voter registration cards into the jails for people who are eligible to vote.

Ms. Campbell: I feel that the language in the current regulations is very adequate and proper and I don't think there should be language beyond the current regulations discussed.

Mr. Ingrassia: I agree with Ms. Campbell.

Ms. Bates: I also agree with Ms. Campbell.

Mr. Cate: The Inmate Voting issue was on the consent calendar as an information item only so there was no action that was noticed on this issue. I'm happy to continue to allow information to come forward but the Board cannot take action on this item today in any event.

Ms. Silbert: There isn't anything that prohibits the Secretary of State helping someone in jail to receive those pieces of paper, is that correct?

Mr. Wion: The current regulations don't preclude any of those actions from occurring, what's there is a minimum standard. If a Sheriff or a Jail Commander chose to have different programs within their facility they have the right to do so as long as the minimum standard is met and the minimum standard is that all eligible voters have the opportunity to vote.

Ms. Tommy Escarcega: I am with Get Out of Jail Vote. I would like to thank staff and express that the long term goal is ensuring the vote versus just allowing the vote.

Mr. Wilson: This item was not noticed as an action item so the Board lacks the authority to make any decisions today but seconds that there are other issues regarding the scope and the authority of the CSA Board versus the Secretary of the State or Registrar of Voters. Perhaps as Mr. Wion suggested, this discussion can take place during the regulation process at which time he will make the determination as far as which new regulations will be promulgated. At the earliest, that process is determined to begin in the spring of next year and I would recommend that might be the appropriate starting point for any further discussions for actions that the CSA Board might consider.

Mr. Cate: Any additional public comment? There was none.

Mr. Cate: I would like to announce that this is Mr. Wilson's last meeting as he will be leaving CSA.

Mr. Wilson: I would like to thank CSA Staff and acknowledge how hard the staff has worked though fiscal constraints and other political issues.

Mr. Cate: I would like to announce that Debbie Rives will be the new Acting Executive Director.

Mr. Cate: This is Travis Townsy's last meeting as well and he is being presented with a plaque on behalf of his service to the Corrections Standards Authority.

Mr. Cate: I would like to thank staff and call the meeting to a close.

Next meeting: Thursday, September 9, 2010 at 2:00 p.m. in Sacramento, CA.

Meeting adjourned at 2:10 p.m.

Respectfully submitted,

Originally signed by

KRYSTEN MEYER
Executive Assistant
Corrections Standards Authority

ROSTER OF PERSONS IN ATTENDANCE

CSA Board Members

Mr. Cate, Secretary, CDCR
Mr. Kernan, Undersecretary, CDCR
Mr. Warner, Chief Deputy Secretary, Juvenile Justice
Ms. Silva, Administrator, Juvenile Justice
Ms. Minor, Chief, Division of Adult Programs
Mr. Prieto, Yolo County Sheriff's Department
Mr. Baca, Los Angeles County Sheriff's Department
Ms. Arnold, Tuolumne County Chief Probation Officer
Ms. Silbert, Delancey Street Foundation
Ms. Bates, Supervisor, Orange County
Ms. McBrayer, Executive Director, The Children's Initiative
Mr. Ingrassia, San Diego County Sheriff's Department
Ms. Biondi, Public Member
Mr. Adams, Yuba County Sheriff's Department
Mr. Townsy, Folsom State Prison
Ms. Campbell, Public Member

CSA Staff

Kurt O. Wilson, Executive Director
Krysten Meyer, Executive Assistant
Robert Takeshta, Deputy Director, CFC
Marlon Yarber, Deputy Director, CPP
Gary Wion, Deputy Director, FSO
Leslie Heller, Field Representative, CFC
Debbie Rives, Deputy Director, STC
Evonne Garner, Field Representative, STC